

On August 30, 2007, I entered an Order staying this appeal until further entry of final judgment or final Order with regard to certain setoffs. The parties are directed to show cause in writing by March 11, 2008 why the appeal ought not be dismissed without prejudice to refile upon entry of final order or judgment.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

In the Matter of

BEST PAYPHONES, INC.,

Debtor

BEST PAYPHONES, INC.,
Debtor-Appellant,

-against-

MANHATTAN TELECOMMUNICATIONS
CORPORATION,
Claimant-Appellee.

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Case No. 01-B-15472 (SMB)
Chapter 11

Docket No. 07-Cv-6170 (PKC)

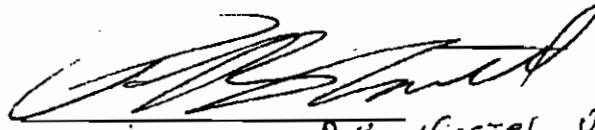
ORDER

MEMO ENDORSED

Best Payphones, Inc. ("Debtor") having filed an Objection in its bankruptcy case to the Proof of Claim of Manhattan Telecommunications Corporation, d/b/a MetTel ("MetTel"), and the Hon. Stuart M. Bernstein, Chief Judge of the United States Bankruptcy Court for the Southern District of New York, having conducted a trial of the claims in said Proof of Claim and entered an Judgment thereon allowing said Proof of Claim based on damages arising from the Debtor's alleged breach of an agreement dated December 8, 2000 between the Debtor and North American Telecommunications Corp., as assigned to MetTel, in the amount of \$238,082.43, with interest, and staying execution of said Judgment until the trial of various setoffs of the Debtor, and the Debtor having filed a Notice of Appeal from said Order, and a conference in said appeal having been held before the Hon. ~~K. Peter Castel~~ ^{P. Kevin Castel} on July 26, 2007, it is hereby

ORDERED, that the briefing of the Debtor's aforementioned appeal is stayed until thirty (30) days following the entry of any final Judgment or final Order of the Bankruptcy Court disposing of all said setoff claims.

Dated: New York, New York
August 28, 2007


~~Hon. K. Peter Castel~~ P. Kevin Castel, USDT
Judge of the United States District Court for the
Southern District of New York

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